

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6 of 2018

1. Prem Singh S/o Charku Singh, Aged About 25 Years R/o Keradol, Police Station Podi District Korea Chhattisgarh , Chhattisgarh
2. Indrajeet Paikra, S/o Late Jigsaw Paikra, Aged About 35 Years R/o Gangapur, Police Station Jainagarh, District Surajpur Chhattisgarh , District : Surajpur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Podi District Korea Chhattisgarh , Chhattisgarh

---- Respondent

For Applicant	:	Mr.Anil Gulati, Advocate.
For Respondent	:	Mr. V.B. Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

12/03/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.127/2017, registered at Police Station– Podi, District Korea (C.G.) for the offence punishable under Sections 294, 506-B, 323, 458, 325 r/w Section 34 of the Indian Penal Code.
2. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case, according to the material present in the charge-sheet filed against them. Apart from offence filed under Section 458 of IPC, all the remaining offence registered against them are bailable in nature. Hence, it is prayed that applicants may be granted regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. It is alleged that on the date of incident, both the applicants and one another have by forcing entry into the house of the complainant Mangal Singh at 9 pm in the night, used abusive words and threatened him, thereafter, they assaulted and injured Mangal Singh and his wife Smt. Kamli Bai. Mangal Singh suffered a fracture on his finger of the right hand thus grievous injury was caused to him, whereas Kamli Bai suffered simple injury. After lodging of FIR, the case has been registered against these applicants and one another.
6. Considering the nature of offence against those applicants and that they are in jail since 13.9.2017. The case against them is triable by JMFC and the trial is likely to take some time before its conclusion. For these reasons, I am of this view that this is a fit case where applicants should be benefited with grant of regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/-each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge